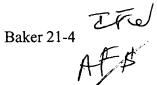
I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450,



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Alexandria, VA 22313-1450.

Patent Application

Applicant(s): A.D. Baker et al.

Case:

21-4

Serial No.:

09/503,042

Filing Date:

February 11, 2000

Group:

2667

Examiner:

Anh-Vu H. Ly

Title:

Automated Link Variant Determination and Protocol Configuration

for Customer Premises Equipment and Other Network Devices

TRANSMITTAL OF APPEAL BRIEF

Mail Stop Appeal Brief - Patents Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Appeal Brief in triplicate (original and two copies); and
- (2) Copy of Notice of Appeal, filed on July 23, 2004, with copy of stamped return postcard indicating receipt of Notice by PTO on July 26, 2004.

There is an additional fee of \$330 due in conjunction with this submission under 37 CFR §1.17(c). Please charge Avaya Inc. Deposit Account No. 50-1602 the amount of \$330, to cover this fee. In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 50-1602** as required to correct the error. A duplicate copy of this letter and two copies of the Appeal Brief are enclosed.

Respectfully submitted

Date: September 27, 2004

Joseph B. Ryan

Reg. No. 37,922

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Locust Valley, NY 11560

(516) 759-7517

Receipt in the USPTO is hereby acknowledged of:

Transmittal Letter - 1 page Response to Final Office Action - 4 pages Notice of Appeal - (Orig. & 1 copy)

July 23, 2004 A.D. Baker 21-4 Serial No. 09/503,042 1250-339

